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September 17, 2021

BY ECF

Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Rudolph Kornmann v. New York Business Integrity Commission, et al.
Docket No. 17-cv-02328 (BMC) (PK)

Dear Judge Cogan:

I am an Assistant Corporation Counsel in the office of Georgia M. Pestana, Corporation Counsel of the City of New York, attorney for the defendants, New York City Business Integrity Commission, the City of New York, Michael Del Pino, Matthew Gonzalez and John Curry, in the above-referenced action. I, alongside Senior Counsel Jessica Giambrone write jointly with Plaintiff's counsel pursuant to Your Honor's Order dated September 13, 2021 with the following proposals:

1) Estimated Length of Trial:

3 days

2) Short Description of the Case:

Plaintiff Rudolph Kornmann, a former Computer Associate with the Business Integrity Commission alleges that he was denied a reasonable accommodation and was retaliated against for making such an accommodation request. Defendants deny these allegations and assert they properly accommodated the plaintiff's request and further assert that all of their actions,

including eventual discipline, were taken for legitimate business reasons and because of plaintiff's conduct in the workplace.

3) List of persons, locations and entities expected to be mentioned.

- Rudolph Kornmann
- Michael Del Pino
- Matthew Gonzalez
- John Curry
- Ron Joya
- Ira Spaner
- Cindy Haskins
- Richard Washington
- Shahab Ghalambor
- Jessica Giambrone
- Rebecca Quinn
- City of New York
- New York City Business Integrity Commission (BIC)
- New York City Police Department (NYPD)
- New York City Department of Investigation (DOI)
- Office of Administrative Trials and Hearings (OATH)
- New York City Office of Labor Relations (OLR)
- DC 37
- 100 Church Street

4) Proposed *Voir Dire* Questions

- Have you or any members of your family or any of your close friends ever supervised other workers? If so, please state when and describe the circumstances.
- Have you or any members of your family or any of your close friends ever filed a charge of discrimination or retaliation with any government agency or any lawsuit claiming that an employer committed an act of discrimination, retaliation or improper termination? If so, please state when and describe the circumstances.

- Have you or any members of your family or any of your close friends ever been accused of discrimination, retaliation or improper termination by any government agency or in a lawsuit. If so, please state when and describe the circumstances.
- Have you or any members of your family or close friends identified as having a disability or sought a reasonable accommodation from an employer?
- Have you or any members of your family or close friends experienced or witnessed workplace violence? If so, are you willing to describe the circumstances?
- Are you or any members of your family or any of your close friends licensed to carry a firearm?
- If the Plaintiff is unable to prove his case, how would you feel about sending him home with no money? Do you feel that because he has come this far, he is entitled to something?

Respectfully Submitted,

/s/
Rebecca G. Quinn
Assistant Corporation Counsel

/s/
Jessica Giambrone
Senior Counsel